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8	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON	
9	AT SEATTLE	
10	UNITED STATES OF AMERICA,	
11	Plaintiff,	CASE NO. CR02-423C
12	V.	ORDER
13	KEITH E. ANDERSON, et al.,	
14	Defendants.	
15	This matter comes before the Court on Defen	dant Richard Marks' Motion to Dismiss (Dkt. No.
16	1028) and Motion for Identity and Status Hearing Prior to Sentencing (Dkt. No. 1029).	
17	In his Motion to Dismiss, Defendant argues that this case should be dismissed because the	
18	Probation Officer did not file the Presentence Report ("PSR") for Defendant 35 days prior to his April	
19	22, 2005 sentencing date, as required by Fed. R. Crim. P. 32(e)(2). Rather, the Probation Officer filed	
20	the PSR on March 25, 2005, 28 days prior to the sentencing date.	
21	Pursuant to Fed. R. Crim. P. 32(b)(2) and a General Order dated July 1, 1993, the United States	
22	District Court for the Western District of Washington changed the deadline for the submission of a PSR	
23	from 35 days to 28 days prior to the sentencing date. Thus, the Probation Officer's submission of	
24	Defendant's PSR was timely, and the Court hereby DENIES Defendant's motion.	
25		
26	ORDER – 1	

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Additionally, the Court finds that Defendant's Motion for Identity and Status Hearing Prior to Sentencing is without merit and hereby DENIES the motion.

SO ORDERED this <u>13th</u> day of April, 2005.

UNITED STATES DISTRICT JUDGE

ORDER – 2

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